

**IN THE DISTRICT COURT OF THE UNITED STATES  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
ASHEVILLE DIVISION  
1:10 CR 03**

**UNITED STATES OF AMERICA**

**Vs.**

**HERBERT MOORE.**  
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**ORDER**

**THIS CAUSE** coming on to be heard before the undersigned, pursuant to a “Motion For Hearing Aids” (#20) filed by counsel for the defendant. At the call of this matter on for hearing defense counsel advised that the defendant wished to withdraw the motion. After discussion with defendant’s counsel and the defendant in open court and with the defendant having the benefit of sound amplification devices and real time reporting, which the defendant indicated were fully operational and that he had full hearing and knowledge of all proceedings in the courtroom, the undersigned determined to allow the withdrawal.

**ORDER**

**IT IS, THEREFORE, ORDERED** that the motion entitled “Motion for Hearing Aids” (#20) is hereby considered to be **WITHDRAWN** and **DISMISSED** without prejudice.

Signed: May 24, 2010

Dennis L. Howell

Dennis L. Howell  
United States Magistrate Judge

